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Double Standard! Japan's Stand on East Timor

Free East Timor Japan Coalition
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INTRODUCTION

Altough the fact is not well known, the guidelines issued by the Human Rigths Committee to governments to use in drawing up their reports request governments to report on their stand and on measures which are taking for the right to self-determination of the people in South Africa and Palestine. In other words, in considering the human rights situation in one country, that country's response to the problems of other countries must be taken into consideration. To expand the interpretation further, one can say that, even if the human rights situation in the country itself is good, if that country's corporations, for instance, export pollution abroad, or do not treat the workers humanely, of if the country exports arms, say, and for the sake of profits closes its eyes to the suppression of human rights by the government of that country, or if it does not join in economic sanctions to right such wrongs, then that country can hardly be said to have a good human rights record. We can thus see in these guidelines the understanding of the UN that the protection of human rights cannot be achieved without the cooperation of the international community.

The representative of the Japanese government, at the Asian Regional Preparatory Meeting in Bangkok, stated as follows:

"Human rights is a matter for which the international community is justified in sharing its concern. ..... My delegation does not accept the view that to express concern over grave violations of human rights in whatever country such abuses may occur is an interference in that country's internal affairs."

It also affirmed guidelines for linking ODA and human rights.

"The Official Development Assistance Charter, which the Government of Japan adopted in June of last year, articulates that, when development assistance is to be provided, full attention should be paid, among other things, to the situation regarding the securing of basic human rights and freedoms in a recipient country, and to the efforts being made in that country to promote democratization. "

We welcome all of these statements.

However, we must also take a hard look at just what diplomatic efforts Japan has actually made, or is making, to enhance human rights. Here we will report, in terms of the points below, what concrete policies the Japanese Government has adopted with respect to the case of East Timor. Indonesia, it will be recalled, invaded East Timor in December 1975, when the latter was in the process of obtaining its independence from Portugal, and unilaterally annexed it in defiance of United Nations resolutions. We note that Indonesia is the largest recipient of Japanese ODA in the world. Because of its diplomatic and economic support for Indonesia over the past 18 years, Japan is seen in the eyes of the East Timorese as their invader's "sponsor."

EAST TIMOR: THE JAPANESE GOVERNMENT'S RESPONSE

1. The Sovereignty Issue

The Japanese Government does not recognize Indonesia's annexation of East Timor. Japan, it has stated, "is not in a position to make a judgement (on the sovereignty issue)." "Negotiations between Portugal and Indonesia are taking place under the auspices of the United Nations Secretary General, and Japan holds in high regard these efforts by the Secretary General." (26 Nov., 1986, Education Committee, House of Representatives) In its annual Countries of the World, the Ministry of Foreign Affairs takes care to delineate on its maps the borders of East Timor, marking them in the same manner as other disputed areas such as Western Sahara.

2. Position at the UN

The United Nations General Assembly has adopted eight resolutions in which it calls on Indonesia to withdraw from the territory (1975, 76), rejects the claim that East Timor was integrated into Indonesia (1976, 77) , request the UN special representaive to carry out on-the spot investigation in East Timor (1975,76,77,78), i nvites UNICEF and UNHCR to start humanitarian aids (1979), calls for the Secretary General's mediation among all the parties concerned (982), and affirms the right of the East Timorese to self-determination and independence (almost all years). The Security Council has passed similar resolutions twice (1975,76). A "non-self-governing territory," East Timor is taken up at sessions of the Special Committee on Decolonization year in and

year out. The Human Rights Commission likewise hears testimony every year about the flagrant human rights abuses in East Timor and this year, for the first time, adopted a resolution. The Sub-Commission on Prevention of Discrimination and Protection of Minorities has adopted resolutions on the situation in East Timor in 1982, 83, 84, 87, 89, 90 and 92.

The votes of the Japanese government were as follows:

a. General Assembly resolutions: Against (1975, '76, '77, '78, '79, '80, '81, '82) *

b. Security Council resolutions: For (1975)**, Abstain (1976)

c. Commission on Human Rights

1982: Indonesia was eligible to be considered at the commission under proceedure 1503 (for consideration of communications that governments have committed a "consistent pattern of gross and reliably attested violations of human rights"), but the commission voted (by a margin of two votes) not to consider Indonesia. Japan was one of the countries that voted to let Indonesia off the hook.

1992: The commission discussed the Santa Cruz massace, but Japan opposed the EC draft resolution, throwing its weight behind a weak "Consensus Statement" that was adopted in the end.

1993: Japan supported a "no action" motion by Malaysia and abstained on the draft resolution presented by the EC, Canada, the US, and others.

*In 1983 Japan is reported to have lobbied for a postponement of debate on East Timor.

**Japan worked to get criticism of Indonesia removed from the text of the draft and succeeded in getting a watered down resolution.

3. Economic Aid to Indonesia

Japan has never applied sanctions in any form whatsover with regard to Indonesia's invasion of East Timor. Grant component is not included here for, as is well-known, it is far less important in Japanese economic aid.

(1) Annual results of loans

1975: yen loans worth $1.7 billion (including $150 million for Indonesia's state oil company, Pertamina; $140 million IGGI emergency contribution; $200 million for a liquified natural gas development project; $900 million for the Asahan aluminum refinery project)

1976: yen loans totalling ¥67.3 billion (¥41 billion as IGGI pledge project aid; ¥26.3 billion Asahan project aid)

1977: yen loans totalling ¥55.5 billion (¥49.1 billion as IGGI pledge project aid; ¥6.5 in non-IGGI aid)

1978: ¥90.1 in yen loans (¥54.8 billion as IGGI pledge project aid; ¥35.5 billion for Asahan project)

1979: ¥88 billion in yen loans (¥55 billion in IGGI pledge project aid; ¥33 billion in non-IGGI aid)

1980: yen loans totalling ¥58 billion (IGGI pledge)

1981: yen loans totaling ¥58 billion (IGGI pledge)

1982: yen loans totalling ¥63.2 billion (IGGI pledge)

1983: yen loans totalling ¥67.5 billion (IGGI pledge)

1984: yen loans totalling ¥71.6 billion (IGGI pledge)

1985: yen loans totalling ¥75.4 billion (IGGI pledge)

1986: yen loans totalling ¥80 billion (¥74.7 IGGI pledge project aid; ¥5.3 billion in local cost financing)

1987: yen loans totalling ¥88 billion (¥27.2 billion in IGGI pledge commodity loans; ¥47.2 billion in project aid; ¥13.6 billion for local cost financing) ***

1988: yen loans totalling ¥197.6 billion (¥38.1 billion in IGGI pledge commodity loans; ¥41.3 billion in project aid; ¥72.4 billion in sector program loans; ¥24.2 billion in local cost financing; ¥21.5 billion for non-IGGI petroleum loans)

1989: ¥178.4 billion (¥81 billion in project aid; ¥97.4 billion in commodity loans).

1990: ¥181.6 billion (¥105.3 billion in project aid; ¥76.2 billion in commodity loans).

1991: ¥161.2 billion (¥93.7 billion in project aid; ¥67.5 billion in commodity loans).
(In 1988, 89 and 90, sector program loans are not separately classified.)

1992: $1.32 billion (approx. ¥160 billion) ($530 million in sector program loans)

Since 1987 Indonesia has received the biggest allocation in Japanese bilateral aid. In 1992 Japan accounted for 68.9% of all bilateral aid to Indonesia.

***This marks a shift from project-centered aid to financing support-type aid and was in response to the financial difficulties caused by the fall in petroleum prices and increase in debt accumulation.There was a big jump in the share of aid for commodity loans (of funds for importing goods needed for economic development, to help improve the recipient country's international balance of payments), for local cost financing (to support the part of a project to be managed by the recipient country with local currency), and sector program loans (to support development projects in certain sectors), and these funds surpassed project aid funds.

(2) ¥100 million aid to relief activities of the International Committee of the Red Cross in East Timor, 1979.

(3) Aid to Japanese NGOs working in E.Timor

a. Small-scale grant: for technical assistance provided by a group of volunteers from Ikusei Kogyo Technical High School (1991)
b. Project aid from the Ministry of Posts and Telecommunications International Volunteer Savings to the Catholic Schools Support Group (office in the Nagoya Catholic Justice and Peace Committee) to provide neccessary materials for education in areas of East Timor in dire need.

(4) Indonesia Nationwide Shortwave Monitoring Project (Yen loan Project)

Scale: first phase: ¥2.6 billion; second : ¥5.7 billion
Purpose: provide equipment to monitor shortwave transmissions, and to record and analyse their frequencies, strengths, transmission sites and to build monitoring sites throughout Indonesia in order to control illegal shortwave transmissions; also to provide related engineering services.
Consultant: Nihon Tsushin Kyoryoku
Supplier: Sumitomo Shoji Tsushin Denshi Division
Manufacturer: Nihon Denki
Technical Assistance: From 1980 to 1984 the Ministry of Posts and Telecommunications sent a total of 14 specialists in the fields of frequency supervision, shortwave bureau supervising, and frequency monitoring to the Jakarta Monitoring Center.
State of progress: 21 monitoring stations were completed between 1979 and March 1985 (first phase). Construction of 9 more stations began in 1987 (second phase).
Relation to East Timor: A monitoring station (mobile trailer type) was set up in Kupang, West Timor during the first phase, and in August 1991 a monitoring station (also a mobile type) was set up in Dili, East Timor.

In East Timor "Radio Maubere" (shortwave communication with Australia) was operated by Fretilin since the start of the Indonesian invasion, but transmissions ended with the surrender, in 1978, of the operator, Alarico Fernandes. Transmissions began again in early 1985. The transmissions were used to report on conditions in East Timor (Indonesian attacks, the situation in the resettlement camps, repression of human rights), to request investigations by Amnesty International, and to convey to the UN Secretary-General peace proposals. Since East Timor was closed to outsiders until early 1989, these transmissions were the sole means of direct communication with the outside world. However these transmissions too were stopped because of Indonesian bombing raids. In 1986 the accuracy of Indonesian bombing improved dramatically and strikes began to get closer and closer to the transmission sites, so that by 1987 it was virtually impossible to continue. Indonesia jammed the transmissions as well.

Military use suspected:

Given the fact that the timing of Japan's grant for the mobile monitoring stations overlaps with the period when Radio Maubere resumed broadcasting and then had to stop, the suspicion arises that the mobile monitoring facitlities were used to prevent Fretilin broadcasting in East Timor. It is also feared that the monitoring trailer operating in Dili since 1991 is being used for military purposes.

Replying to our inquiries as to this point, the Foreign Ministry commented, "Information of the monitoring sites and equipment cannot be made public becuase they relate to Indonesia's shortwave monitoring administration. ..... It has already been made clear that as a principle Japanese aid is not to be used for military purposes, so there is no need to make another notification (to this effect)."

(5) NGO Activities on East Timor and Aid

Chofu (Tokyo) City Council Resolution (19 Dec. 1991), calling for:
a. Withdrawal of Indonesian army
b. Making Indonesian troop withdrawal from East Timor a condition for the granting of ODA in line with Japan's Four ODA Principles ****
c. Campaigning at the UN for respect for the East Timorese' right to self determination

**** The four points to be considered in providing ODA, proclaimed by former Prime Minister Toshiki Kaifu in April 1991: 1. military expenditures of the receipient country, 2. arms export and import, 3. possession and development of nuclear and chemical weapons, 4. conditions with regard to basic human rights and democracy.

Petition to the Prime Minister signed by 262 Diet members *(12 Dec. 1991)*, calling on Japan:
a. To review ODA policy toward Indonesia
b. To send a UN investigative team to East Timor
c. To urge the Security Council to take up the self-rule issue

Mitaka (Tokyo) City Council Position Statement *(25 June, 1996)*, calling on Japan:
a. To vote in favor of a resolution in the UN General

Assembly (should there be one) in support of East Timor's right to self determination and independence.
b. To call for the withdrawal of Indonesian troops
c. To work at the UN for respect for the East Timorese' right to self-determination
d. To review Japan's ODA policy vis-a-vis Indonesia

Petition to the Ministry of Foreign Affairs Bureau of Economic Cooperation from the Free East Timor Japan Coalition regarding the CGI (Consultative Group on Indonesia) Meeting (8 July, 1992), calling for the Japanese delegation to strive so as to realize at the CGI Meeting:
a. Raising of human rights issues in East Timor and Indonesia
b. Raising the issue of the Indonesian Government's restrictions on NGOs activities
c. Making continued aid to Indonesia contingent on Indonesia's abiding by the Consensus Statement of the UN Commission on Human Rights, inclusion of East Timorese in the negotiations held between Indonesia and Portugal, termination of suppression of freedom of speech, etc.

Petition to the Prime Minister from 70,000 Japanese (delivered 12 November 1992), calling for Japan to:
a. Call on the Indonesian Government to respect the East Timorese' right to self-determination
b. Take an active role at the UN to realize a just exercise of the right of self-determination by the people of East Timor
c. In line with Japan's Four ODA Principles, make granting of ODA contingent on an Indonesian troop withdrawal from East Timor
d. Make public information on the shortwave monitoring facility in Dili built with yen loans, and take concrete measures to prevent its use for military purposes

Hino (Toyo) City Council Resolution (25 March, 1993)
a. Calling on Japanese Government to demand withdrawal of Indonesian trrops from East Timor
b. To actively mediate at the UN to bring about peace talks
c. To make granting of ODA contingent on an Indonesian trroop withdrawal

4. Involvement in petroleum development in Timor Gap area jointly administered by Australia and Indonesia

In international bidding in December 1991, Japan Indoensia Oil together with the Australian company BHP won bidding on lot 91-012 and Nippon Oil, together with Royal Dutch Shell (the Netherlands) and Chevron (USA) won bidding on lot 91-02.

5. Meeting with East Timorese opposed to Integration

Every year since 1986 East Timorese have visited Japan at the invitation of the East Timor Japan Coalition, but they have never been allowed to meet with staff of the Ministry of Foreign Affairs.

6. Summary

Japan is Indonesia's No.1 investment, import, and export partner, and it has never allowed human rights considerations stemming from the invasion of East Timor to get in the way of "business as usual". What is this if not a clear case of the selectiveness and double standards which were so sharply criticized by the Asian countries in their Bangkok Declaration?

T hrough the efforts of NGOs however, a number of steps toward the advancement of human rights have been taken;

a. Nonrecognition of the annexation
b. Annual visits to East Timor by staff of the Japanese embassy in Jakarta*****
c. Assistance to Japanese NGOs working in East Timor
d. Observing of trials of East Timorese political prisoners******
e. Raising of the East Timor issue with President Suharto at the time of the Prime Minister's visit to Indonesia (January 1993). Also, the Government has more frequently taken up human rights issues regarding East Timor with Indonesia through diplomatic routes.
f. Objecting to the Indonesian Government's rejection of the International Federation for East Timor's participation in the Asian preconference of the United Nations World Conference on Human Rights

***** & ****** Independence of informants and the quality of the findings are questioned.

Free East Timor Japan Coalition consists of 10 solidarity groups in Sapporo, Sendai, Tokyo, Nagoya, Osaka, Okayama, Zentsuji, Kure, Shimonoseki, Oita and Japan Catholic Council for Justice and Peace.
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